

PB# 90-21

JOHN EVANS, INC.

13-5-5 & 6

EVANS, JOHN INC. (SITE PLAN) #90-21
JOHN ST. (STORAGE BLDG.)

Approved 7/26/91

General Receipt

11351

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of John S. Evans, Inc. May 3 19 90 \$ 25.00

Twenty-five and 00 DOLLARS

For Planning Board Application Fee # 90-21

DISTRIBUTION

FUND	CODE	AMOUNT
CR# 6791		25.00

By Pauline M. Townsend
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt

11352

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of Town Clerk May 3 19 90 \$ 750.00

Seven Hundred fifty 00 DOLLARS

For John Evans, Inc. Site Plan Escrow # 90-21

DISTRIBUTION

FUND	CODE	AMOUNT
CR# 6792		750.00

By Susan Zappala
Deputy Comptroller
Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt

12135

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

Received of John S. Evans, Inc. July 24 19 91 \$ 100.00

One Hundred 00 DOLLARS

For Site Plan Appl. Fee # 90-21/00

DISTRIBUTION

FUND	CODE	AMOUNT
CR. - 8584		100.00

By Pauline M. Townsend
Town Clerk
Title

Williamson Law Book Co., Rochester, N. Y. 14609

CR# 6791	25.00

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline M. Townsend
Town Clerk
 Title

General Receipt

11352

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

Received of Town Clerk May 3 19 90
Seven Hundred fifty \$ 750.00
For John Evans, Inc. Site Plan Escrow # 90-21
00 DOLLARS
750

DISTRIBUTION

FUND	CODE	AMOUNT
CR# 6792		750.00

By Alice Zappala
Deputy Comptroller
 Title

Williamson Law Book Co., Rochester, N. Y. 14609

General Receipt

12135

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

Received of John S. Evans, Inc. July 24 19 91
One Hundred \$ 100.00
For Site Plan Appl. Fee # 90-2190
00 DOLLARS

DISTRIBUTION

FUND	CODE	AMOUNT
CR. - 8584		100.00

By Pauline M. Townsend
Town Clerk
 Title

Williamson Law Book Co., Rochester, N. Y. 14609

Eng. Fee \$338.00

County File No... **NT 9 91 M**...

COUNTY PLANNING REFERRAL

(Mandatory County Planning Review under Article 12-B,
Section 239, Paragraphs 1, m & n, of the
General Municipal Law)

Application of ... **John & Georgette Evans**
for a ... **Site Plan - Within 500' of US Hwy. 9W**
County Action: ... **Local Determination**

LOCAL MUNICIPAL ACTION

The Above-cited application was:

Denied Approved

Approved subject to County recommendations

.....
(Date of Local Action) :

.....
(Signature of Local Official)

This card must be returned to the Orange County Department of Planning
within 7 days of local action.



America the Beautiful USA 15

**ORANGE COUNTY DEPARTMENT OF PLANNING
AND DEVELOPMENT**

124 Main Street

Goshen, N.Y. 10924

New York City:
Manhattan Skyline



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

- ☐ **Main Office**
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ **Branch Office**
400 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

6 August 1992

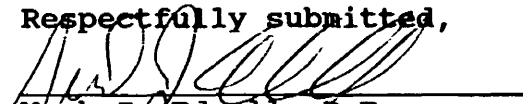
MEMORANDUM

TO: Michael Babcock, Town Building Inspector
FROM: Mark J. Edsall, P.E., Planning Board Engineer
SUBJECT: EVANS SITE PLAN (90-21)
FIELD VISIT 5 AUGUST 1992

This memorandum shall confirm that on 5 August 1992 we visited the subject site to review the status of the completion of the improvements, prior to issuance of the Certificate of Occupancy. Based on our review, the site work appears to have been completed in conformance with the site plan approved by the Board on 8 May 1991. As we discussed, one recommendation which could be made to the property owner is to install a bollard to protect the above ground fuel tank, shown on the plan against the existing building.

Based on the above, once your office finds the remaining items acceptable for issuance of a Certificate of Occupancy, it is my opinion that the site has been acceptably constructed.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: James Petro, Planning Board Chairman

A:8-6-2E.mk

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/26/91

PAGE: 1

LISTING OF PLANNING BOARD FEES
Escrow

FOR PROJECT NUMBER: 90-21

NAME: EVANS, JOHN N. STORAGE

APPLICANT: EVANS, JOHN, N.

--DATE--	DESCRIPTION-----	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
05/03/90	SITE PLAN MINIMUM	PAID		750.00	
07/19/91	P.B. ENGINEER FEE	CHG	338.00		
			-----	-----	-----
		TOTAL:	338.00	750.00	-412.00

Please ~~sub~~ issue a check in
the amount of \$412.00 to:

John S. Evans, Inc.
30 Hilltop Drive
New Windsor, N.Y. 12553

Gave to Larry Reis 7/26/91 (m)

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 07/26/91

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
A [Disap, Appr]

FOR PROJECT NUMBER: 90-21

NAME: EVANS, JOHN N. STORAGE

APPLICANT: EVANS, JOHN, N.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
07/26/91	PLANS READY FOR SIGNATURE	SIGNED BY R. LANDER
07/19/91	MEMO FROM M. EDSALL	PLANS APPROVED
07/17/91	NEW PLANS SUBMITTED	M. EDSALL TO REVIEW
07/17/91	NEW PLANS SUBMITTED	CONDITIONS MET
05/08/91	P.B. APPEARANCE	WAIVE P.H./NEG.DEC.
05/08/91	ABOVE CONTINUED	APP.SUB.TO/NEW PLAN
05/01/91	SITE VISIT COMPLETE	RETURN TO MEETING
04/24/91	SITE VISIT DATE SET	SET FOR 5/1/91
04/10/91	P.B. APPEARANCE	L.A./SITE VISIT
04/02/91	WORK SESSION APPEARANCE	OK - RETURN TO P.B.
03/25/91	Z.B.A. RESULTS	VARIANCES GRANTED
05/09/90	P.B. APPEARANCE	REFERRED TO Z.B.A.
05/02/90	WORKSESSION APPEARANCE	OPEN FILE

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 05/08/91

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 90-21

NAME: EVANS, JOHN N. STORAGE

APPLICANT: EVANS, JOHN, N.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	05/03/90	MUNICIPAL HIGHWAY	04/02/91	SUPERSEDED BY REV1
ORIG	05/03/90	MUNICIPAL WATER	05/08/90	APPROVED
ORIG	05/03/90	MUNICIPAL SEWER	05/09/90	APPROVED
ORIG	05/03/90	MUNICIPAL SANITARY	05/09/90	APPROVED
ORIG	05/03/90	MUNICIPAL FIRE	05/14/90	APPROVED
ORIG	05/03/90	PLANNING BOARD ENGINEER	04/02/91	SUPERSEDED BY REV1
REV1	04/02/91	MUNICIPAL HIGHWAY	/ /	
REV1	04/02/91	MUNICIPAL WATER	04/04/91	APPROVED
REV1	04/02/91	MUNICIPAL SEWER	/ /	
REV1	04/02/91	MUNICIPAL SANITARY	04/03/91	APPROVED
REV1	04/02/91	MUNICIPAL FIRE	04/04/91	APPROVED
REV1	04/02/91	PLANNING BOARD ENGINEER	/ /	
REV1	04/11/91	O.C. PLANNING DEPT.	04/24/91	LOCAL DETERMINATION
REV2	05/03/91	P.B. ENGINEER	/ /	



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

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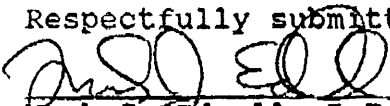
19 July 1991

MEMORANDUM

TO: Myra Mason, Planning Board Secretary
FROM: Mark J. Edsall, P.E., Planning Board Engineer
SUBJECT: EVANS SITE PLAN (90-21)

I have reviewed the plan, correspondence and other information submitted by Grevas & Hildreth, P.C. with regard to the subject project. Please be advised that it is my opinion that the plans, as currently submitted, are acceptable for stamp of approval.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

cc: Andrew Kreiger, Esq.

A:7-19-E.mk

REQUEST FOR COMBO FORM

DATE: 11 JULY 1991

DISTRICT: TOWN OF NEW WINDSOR

S.B.L.: 13-5-5,6,7 & 8

RECORD OWNERS:

DEED REF: L3282
P 279

JOHN N. EVANS and
GEORGETTE H. EVANS

THE ABOVE PARCELS ARE OWNED BY
AND A REQUEST IS MADE TO COMBINE THESE INTO ONE PARCEL FOR TAX PURPOSES.
ALL THE DUE TAXES ARE PAID ON THESE PARCELS AND THEY ARE ALL IN THE SAME
SPECIAL DISTRICTS (ie: SCHOOL, FIRE, ETC.)

ASSESSOR'S SIGNATURE Leslie Cook / (cc)

OWNER'S SIGNATURE [Signature]

PS: PLEASE DECIMAL OFF SEC. 13 BLK 5 LOT 5
AS RETAINED PARCEL NUMBER IF POSSIBLE.

17 July 1991

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Att: Mr. Carl Scheifer, Chairman

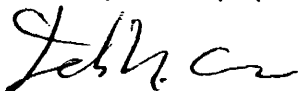
SUBJECT: EVANS SITE PLAN (90-21)

Dear Mr. Scheifer:

Pursuant to the Planning Board's approval of the subject site plan located on John Street, County of Orange, State of New York which approval was granted subject to the agreement set forth in this letter, and in consideration of that agreement I, for myself, my heirs, assigns and transferees acknowledge ownership of a fuel tank which is located below the surface of the ground and on property owned by the Town of New Windsor, specifically, the fuel tank is located under the right-of-way owned by the Town for John Street.

I for myself, my heirs, assigns, and transferees acknowledge sole responsibility for the maintenance, repair and integrity of that underground fuel tank. Further, I will hold the Town of New Windsor, its agent, or employees harmless from and indemnify it against any loss (including but not limited to attorney's fees and costs) caused in whole or in any part by said fuel tank or any replacement thereof. In addition, if it is necessary for any reason in the future for the Town of New Windsor to open John Street or any portion of the Town's right-of-way, I, for myself, my heirs, assigns and transferees agree to hold the Town of New Windsor harmless for any damage which may occur to said tank. I further agree to make this hold-harmless agreement a part of any deed to the subject premises which is filed in the future. This agreement is intended to run with the land and to be binding on any and all future owners of this land regardless of the way in which it/they acquire title.

Very truly yours,



John N. Evans

& Grevas
Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12553
TELEPHONE: (914) 562-8867

LAND SURVEYS
SUBDIVISIONS

SITE PLANNING
LOCATION SURVEYS

17 July 1991

Robert Stiller, Real Property Tax Office
124 Main Street
Goshen, NY 10924

SUBJECT: TOWN OF NEW WINDSOR, LANDS OF EVANS
TAX MAP LOT COMBINATION

Dear Mr. Stiller:

At the request of the Town of New Windsor Planning Board, in reference to a Site Plan Approval on the Subject property, enclosed please find the Request for Combo form in the Subject matter. It is my understanding you have been in contact with Cathy Perez of the Town of New Windsor Assessors Office in this matter.

When the parcels have been combined, please notify either the Town of New Windsor Planning Board or myself at your earliest convenience.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,


William B. Hildreth, L.S.,

encl/as
WBH/cmg

cc John Evans
Mark Edsall
Town of New Windsor Planning Board

OWNER: EVANS JOHN N
& GEORGETTE H
30 HILLTOP DRIVE
NEW WINDSOR NY 12553

1991 PROP. TAX.

BILL NO: 1924

SEC-BLK-LOT: 1355

13-5-5

		TAX	PNLTY	OVR-PMT	BALANCE
ASSMT: \$1000	CHARGED:	114.58			114.58
SCH DIST: 331100	<i>1-10-91</i> PAID:	114.58			114.58
	AMT-DUE:				

DISPLAY ANOTHER (+=Yes/-=No):

OWNER: EVANS JOHN N
& GEORGETTE H
30 HILLTOP DRIVE
NEW WINDSOR NY 12553

1991 PROP. TAX

BILL NO: 1925

SEC-BLK-LOT: 1356

13-5-6

		TAX	PNLTY	OVR-PMT	BALANCE
ASSMT: \$1000	CHARGED:	43.06			43.06
SCH DIST: 331100	<i>1-10-91</i> PAID:	43.06			43.06
	AMT-DUE:				

DISPLAY ANOTHER (+=Yes/--=No):

OWNER: EVANS JOHN N & GEORGETTE H 30 HILLTOP DRIVE NEW WINDSOR NY 12553		<i>1991 PROP. TAX</i>		BILL NO: 1926		SEC-BLK-LOT: 1357		<i>13-5-7</i>	
ASSMT: \$1300	CHARGED:	TAX	PNLTY	OVR-PMT	BALANCE				
		55.96			55.96				
SCH DIST: 331100	<i>1-10-91</i> PAID:	55.96			55.96				
AMT-DUE:									

DISPLAY ANOTHER (+=Yes/--=No):

OWNER: EVANS JOHN N & GEORGETTE H 30 HILLTOP DRIVE NEW WINDSOR NY 12553		<i>1991 PROP. TAX</i>		BILL NO: 1927		SEC-BLK-LOT: 1358		<i>13-5-8</i>	
ASSMT: \$13700	CHARGED:	TAX	PNLTY	OVR-PMT	BALANCE				
		794.04			794.04				
SCH DIST: 331100	<i>1-10-91</i> PAID:	794.04			794.04				
AMT-DUE:									

& Grevas
Hildreth, P.C. LAND SURVEYORS
33 QUASSAICK AVENUE, NEW WINDSOR, NEW YORK 12553
TELEPHONE: (914) 582-8667

LAND SURVEYS
SUBDIVISIONS

SITE PLANNING
LOCATION SURVEYS

17 July 1991

Town of New Windsor Planning Board
555 Union Avenue
New Windsor, NY 12553

Att: Mr. Carl Scheifer, Chairman

SUBJECT: EVANS SITE PLAN

Dear Mr. Scheifer:

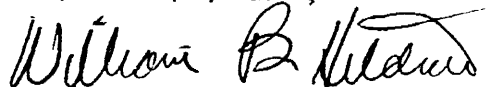
In accordance with the Planning Board's approval of the Subject Site Plan on 8 May 1991 enclosed please find the letter signed by Mr. Evans regarding the underground fuel tank. The language contained therein is the same as that suggested by Mr. Andrew S. Krieger, Planning Board Attorney in a letter to this office dated 14 May 1991.

Also attached are eight (8) copies of the Approved Site Plan for your stamp and signature. In addition, please be advised that the Real Property Tax Office in Goshen, has been requested to combine the tax parcels into one tax lot. A copy of that request is attached.

On behalf of the applicant, Mr. Evans, who has been very patient during the Zoning Board and Planning Board process, I respectfully request the plans be stamped at your earliest convenience in order to expedite his acquisition of a building permit.

If you should have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,



William B. Hildreth, L.S.

encl/as
WBH/cmg

cc Mark J. Edsall
John N. Evans

EVANS SITE PLAN (90-21) JOHN STREET

Mr. William Hildreth of Grevas & Hildreth came before the Board representing this proposal.

MR. SCHIEFER: The entire Planning Board visited this site.

MR. HILDRETH: Okay, as the Chairman stated, this was visited, this site was visited by the Planning Board on 5-1-91. It was at the last Planning Board meeting on 10 April there have been no changes to the plan since then so this is the same plan that was seen. The Planning Board visited it and there were no comments that resulted in any changes being requested on the plan. So, at this time, I'm asking for the Planning Board to consider approval. I believe we need to discuss waiver on a public hearing as well.

MR. SCHIEFER: There were some variances, I believe you got those?

MR. HILDRETH: Yes, Zoning Board of Appeals granted variances on 25 February, 1991 as needed.

MR. LANDER: Do we have anything from the Fire Department?

MR. SCHIEFER: The answer to that question should be asked because I requested that. Nothing has been--

MR. EDSALL: I have one dated May 19th, 1990 and one dated April 1st, 1991, both approvals.

MR. VAN LEEUWEN: I make a motion we waive the public hearing.

MR. LANDER: I'll second it.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. VAN LEEUWEN: We need a motion to declare a negative declaration.

MR. HILDRETH: Before you do, I might add that this plan was sent to Orange County Department of Planning on 11 April, 1991, not quite 30 days.

MR. SCHIEFER: You still have a couple days to wait.

MR. VAN LEEUWEN: I make a motion we declare a negative declaration.

MR. DUBALDI: I'll second it.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. MC CARVILLE: I was thinking in terms of a law suit and I don't want to throw a monkey wrench because of a leaking oil tank or fuel tank on the town property and I'd like to ask our counsel how we go about limiting the exposure of the Town of New Windsor in the event of a tank that's been in the ground over 20 years.

MR. SCHIEFER: The tank has been there for a long, long time.

MR. DUBALDI: What's in it?

MR. VAN LEEUWEN: Diesel fuel.

MR. MC CARVILLE: It's been like that since for years but--

MR. KRIEGER: I think probably a good idea is to have a written acknowledgement in the file, letter form is fine, addressed by, from the owner to the Town of New Windsor acknowledging that he owns the tank and that he's solely and entirely responsible for its maintenance and repair, integrity, maintenance and repair.

MR. SCHIEFER: Is that acceptable?

MR. EVANS: Sure.

MR. KRIEGER: And put in the letter that he will in no way hold the Town of New Windsor or any of its employees

or agents, responsible for any direct or indirect costs or consequences from the town.

MR. VAN LEEUWEN: Make up the letter.

MR. KRIEGER: I just did.

MR. HILDRETH: I'll submit it.

MR. VAN LEEUWEN: I'll make a motion to approve it subject to receipt of that letter and the county approval.

MR. KRIEGER: In the absence of county disapproval.

MR. SCHIEFER: In the absence of county disapproval, otherwise we'll end up waiting for something that's not going to come.

MR. HILDRETH: In three days it's mute anyway.

MR. DUBALDI: I'll second it.

MR. SCHIEFER: Motion has been made and seconded we approve subject to those conditions, receipt of the letter for responsibility of the tank and lack of county disapproval on the site plan.

ROLL CALL:

Mr. McCarville	Aye
Mr. VanLeeuwen	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye



Louis Holmbeck
County Executive

90-21

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor D P & D Reference No. NWT 9-91-M
County I.D. No. 13 / 5 / 5,6,
7,8

Applicant John & Georgette Evans

Proposed Action: Site Plan Review

State, County, Inter-Municipal Basis for 239 Review within 500' of U.S. Hwy.9W

Comments: There are no significant inter-community or Countywide concerns
to bring to your attention.

Related Reviews and Permits _____

County Action: Local Determination X Disapproved _____ Approved _____

Approved subject to the following modifications and/or conditions: _____

4/19/91
Date

CC: M.E. ✓

Peter Garrison
DEP Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 90-21

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date _____

☐ City, Town or Village Board ☒ Planning Board ☐ Zoning Board

2. Owner: Name Evans, John & Georgette

Address 30 Hilltop Drive - New Windsor

3. Applicant*: Name _____

Address _____

* If Applicant is owner, leave blank

4. Location of Site: John Street (Intersect: John St & Rt. 9W)
(street or highway, plus nearest intersection)

Tax Map Identification: Section 13 Block 5 Lot 5, 6, 7, 8

Present Zoning District R-4 Size of Parcel _____

5. Type of Review:

Special Permit: _____

Variance: Use _____

Area _____

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units _____

Site Plan: Use Storage Bldg. for trucks & Equipment

4/11/91
Date

Myra Mason, Secretary for the P.B.
Signature and Title

JOHN EVANS SITE PLAN (90-21) JOHN STREET

Mr. William Hildreth, L.S. of Grevas & Hildreth came before the Board representing this proposal.

MR. SCHIEFER: Before anyone asks the question, highway, water, sewer, sanitary, fire, municipal water and sanitary and municipal fire have all been approved.

MR. HILDRETH: That's returned from the Zoning Board of Appeals. This is referred by the Planning Board to the Zoning Board of Appeals for variances. The request or the proposal is for a 2520 square foot building to be put on property for equipment and storage. This is on John Street. I believe everybody is familiar with where this site is. If you or do you want me to go over that? The Zoning Board of Appeals gave it a variance for use and the bulk required for the square footage are the setbacks and so forth. This is back before the Board for approval. One of the questions that came out of the technical session was that the, this consists of four tax lots. The request was that the entire parcel be combined into one tax lot. I have taken care of that by note. My last note, note 11. The other thing I'd like to ask the Board to consider before they vote on approval is waiving the public hearing requirement. For their information, we mailed out 50 notices for the Zoning Board of Appeals public hearing. We had one appearance and it was not in any way in disfavor of the project. The person that came misunderstood where this was happening. They thought it was happening on their own property. Once we convinced them of where the project was taking place, they had no objection to it.

MR. MC CARVILLE: I have one question. Am I missing something or has this been before us before?

MR. SCHIEFER: It's been before us. We sent it to the Zoning Board of Appeals. The Zoning Board of Appeals has approved it and the Zoning Board of Appeals as I'm hearing has had a public hearing.

MR. DUBALDI: Last October.

MR. SCHIEFER: And now Bill's comment is only one person turned out. Does anyone want to make a motion on the public hearing, waiving it or do you want to hold off?

MR. PAGANO: I want to hold off.

MR. HILDRETH: That's it unless you have any questions.

MR. MC CARVILLE: What's on the lot now, just existing building that's built to the property line?

MR. HILDRETH: Well, it's not on the line, it's within a few inches along the rear half, a foot along the side and so forth. That's an existing building that houses some equipment. The area that the building is to be built on is just a parking lot now and the reason he's requesting the building is for security purposes, so he can enclose his vehicles.

MR. PAGANO: Can you show me, you know I don't know if I visited the site but where on this sketch that you have on here John Street?

MR. HILDRETH: Gus' Tavern is right here, all right, down John Street and it's right here.

MR. SCHIEFER: It's the corner lot there.

MR. MC CARVILLE: Third lot in.

MR. HILDRETH: It's in an R-4 zone. That's one of the reasons we had to go to the Zoning Board of Appeals.

MR. MC CARVILLE: What's the storage used for this particular building?

MR. HILDRETH: Proposed building.

MR. MC CARVILLE: Storage of what?

MR. HILDRETH: Vehicles used in his business.

MR. MC CARVILLE: Is there a business located here?

MR. HILDRETH: Yes, this is in conjunction with that business.

MR. PAGANO: For the life of me, I just cannot remember this piece of property. I don't remember what the neighbors are like or anything like that. If we can hold this off a while, I'd like to revisit this one again.

MR. DUBALDI: Why don't we get lead agency?

MR. HILDRETH: I believe I have some pictures in the file leftover from the Zoning Board of Appeals meeting. Do you want to see them? Unless I handed them in, let

me look.

MR. MC CARVILLE: What kind of business is this, a body shop?

MR. HILDRETH: Crane business.

MR. EVANS: Machinery moving.

MR. SCHIEFER: Any questions? I don't recall, I've not seen this site, I do know where it is, obviously.

MR. MC CARVILLE: I don't think have we, this map has been laid out before, I just don't recall seeing it.

MR. SCHIEFER: We haven't visited the site but the project has been here. That's how it went to the Zoning Board of Appeals.

MR. DUBALDI: Does this have to go to Orange County Planning or has it gone?

MR. HILDRETH: It has not gone, no.

MR. SCHIEFER: Does it have to go, Mark?

MR. EDSALL: I posed that question. I'm not sure if Andy maybe you can help us out. Is that 500 foot spacing to also include incorporate city lines and village lines or is it purely the town lines? I wasn't sure.

MR. KRIEGER: I think my view it's meant to include all municipal lines. The reason for distinction including city and village not including town there'd be no reason for that distinction as a practical matter. What I suggest doing is submit it to the Orange County and if they don't want it then there's no argument, if they don't want to do anything with it. If so, if they claim they have a right to do something with it if it's a difficulty, address it at that time.

MR. DUBALDI: So you think we should?

MR. KRIEGER: Yes, I think the safest thing is to go ahead and do it.

MR. SCHIEFER: You have not done it?

MR. HILDRETH: As of some time ago, the municipalities have to, I can't.

MR. EDSALL: Do you know if this site plan itself was submitted as part of the Zoning Board of Appeals application?

MR. HILDRETH: Not to my knowledge. I did not submit it myself.

MR. SCHIEFER: He did not submit this site plan to the Zoning Board of Appeals?

MR. HILDRETH: I did not submit to Orange County Planning as part of the Zoning Board of Appeals. To clean up another matter, the photographs that I spoke of were turned into the Zoning Board of Appeals so they are in that file.

MR. SCHIEFER: As long as you are going to have to go to the County as our attorney recommended, I'd like to suggest that we go down and take a look at it. I don't see where it is going to be detrimental but we're going to have some time here now.

MR. DUBALDI: Want to take lead agency?

MR. SCHIEFER: We can take those steps and see what you want to do about the public hearing. Does anyone make a motion, a proposal on taking lead agency?

MR. DUBALDI: I'll make a motion.

MR. SCHIEFER: That the Town of New Windsor take lead agency on this site plan.

MR. PAGANO: I'll second it.

ROLL CALL:

Mr. Pagano	Aye
Mr. McCarville	Aye
Mr. Lander	Aye
Mr. Dubaldi	Aye
Mr. Schiefer	Aye

MR. SCHIEFER: Do you want to take any action on the public hearing since the Zoning Board of Appeals has already had a public hearing and a very negative response? By that I don't mean negative, negligible response.

MR. LANDER: We can poll the Board, I think John might want to wait until we make a site visit.

MR. PAGANO: I want a site visit before I set him up for it. Then, we start compacting time, time starts compressing then we compromise so by doing it this way, we'll broaden that time span.

MR. SCHIEFER: Mr. McCarville?

MR. MC CARVILLE: I agree.

MR. LANDER: We'll wait.

MR. SCHIEFER: Then that's about all we can do this evening. Any other questions that we can resolve?

MR. MC CARVILLE: I noticed there's a gas pump. Is there an underground fuel tank? If so, where is it on the plan?

MR. HILDRETH: It would have to be right here, see the fill cap?

MR. MC CARVILLE: So it sits under the concrete pad?

MR. HILDRETH: Yes, exactly where I don't know. Is that correct underground fuel tank for the gas pump? Is it under the--

MR. MC CARVILLE: Under the driveway?

MR. EVANS: Right where you back in.

MR. SCHIEFER: How large is the tank?

MR. EVANS: A thousand gallons.

MR. EDSALL: Can you call out the capacity on the plan for Bob Rogers benefit?

MR. MC CARVILLE: I don't know, if it is looking where that property line is, is this the property line here?

MR. HILDRETH: That's the right-of-way line for John Street.

MR. MC CARVILLE: Looks to me like the fuel cap, therefore the tank is located in a town right-of-way on this map.

MR. SCHIEFER: Is this the case the way this map indicates this is the road, the property here, where is that fill cap?

MR. HILDRETH: That fill cap is north of the right-of-way line, puts it in the right-of-way. Where exactly the tank is, I don't know.

MR. PAGANO: That's why this site inspection is going to be so important.

MR. SCHIEFER: If that fill cap, if it's on the town property, is that a problem?

MR. PAGANO: If it is, I think so because then the fill cap is subject to damage by a plow and the--

MR. HILDRETH: John Street is curbed so the plows aren't going to do anything.

MR. PAGANO: But the town is entitled to go up there for maintenance.

MR. SCHIEFER: I was in New York last week and I noticed fuel trucks delivering fuel right on the sidewalk. The fuel caps are out on the city property, that's not unusual in New York.

MR. PAGANO: No, it's not unusual if it's a pre-existing use, I'll accept it. If we're going to make a change to the property, then we're changing the pre-existing use. Now, it's time to improve it.

MR. SCHIEFER: You want to move that, if it's not on the roadway?

MR. KRIEGER: Start by saying that if it's pre-existing is the question.

MR. SCHIEFER: It's pre-existing.

MR. HILDRETH: How long has that been there?

MR. EVANS: As long as the shop has been there, 1940, '45.

MR. DUBALDI: We'll take a look at it when we go down. That's all.

MR. SCHIEFER: Any other questions? I'd like the next time we meet, I'd like to take action on it one way or the other. Any other questions? Okay, thank you.

MR. BABCOCK: Are we going to send this plan to Orange County Planning Department?

4-10-91

MR. SCHIEFER: Yes.

MR. BABCOCK: Okay.

MR. MC CARVILLE: That tank is being used?

MR. EVANS: Yes.

MR. MC CARVILLE: Thank you.

MR. HILDRETH: Has been right along.

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board
FROM: Robert F. Rodgers, Fire Inspector
DATE: 4 April 1991
SUBJECT: Mae H. Evans Site Plan

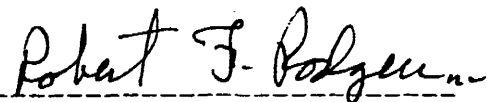
PLANNING BOARD REFERENCE NUMBER: PB-90-21
DATED: 1 April 1991

FIRE PREVENTION REFERENCE NUMBER: FPS-91-023

A review of the above referenced subject site plan was conducted on 2 April 1991.

This site plan is acceptable.

PLANS DATED: 28 March 1991, Revision 2.



Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

✓
CC: M.F.

90 - 21

APR 1 - 1991

Rev. 1

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, ~~SANITARY INSP.~~,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by

Cirevas & Hildeeth for the building or subdivision of

MAE H. EVANS. has been

reviewed by me and is approved ☒

disapproved _____

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lymon W. Masten Jr.
~~SANITARY SUPERINTENDENT~~

April 3, 1991
DATE

FORMAL DECISIONS: EVANS

MR. TANNER: I make a motion that we accept the formal decision of Evans. Said decision is attached and made part of the minutes.

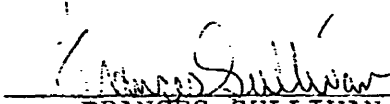
MR. TORLEY: I'll second that.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

Being that there was no further business to come before the Board a motion was made to adjourn the meeting by Mr. Nugent seconded by Mr. Konkol and approved by the Board.

Respectfully Submitted:


FRANCES SULLIVAN
Stenographer

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of

JOHN S. EVANS,

#91-1.

DECISION GRANTING
USE AND AREA VARIANCES

WHEREAS, JOHN S. EVANS, INC., a corporation having an office located at 189 Windsor Highway, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for a (1) a use variance to construct a commercial building in an R-4 zone, and has applied for the following area variances: (2) 5,000 s.f. lot area, (3) 8 ft. side yard, (4) 35 ft. rear yard, (5) 1,000 s.f. minimum floor area and (6) 65% developmental coverage; and

WHEREAS, a public hearing was held on the 25th day of February, 1991 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, John S. Evans, the principal in the above-mentioned corporation, appeared with his surveyor, William Hildreth L.S. of Grevas and Hildreth, in support of the application; and

WHEREAS, the public hearing was attended by a neighboring resident who did not oppose the application after she was assured that the applicant had no intention of encroaching on her property which was located adjacent to the rear of the parcel in question; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a commercial building in an R-4 zone in order to house his vehicles and that same is not a permitted use in the R-4 zone, and in addition, the applicant is seeking permission to vary the bulk regulations with regard to lot area, side yard, rear yard, minimum floor area and developmental coverage with regard to the proposed construction of said commercial building in the R-4 zone.

3. The evidence presented by the applicant indicated that the commercial use of this property by the applicant is a pre-existing non-conforming use, pre-dating the adoption of

**RETAKE
OF
PREVIOUS
DOCUMENT**

FORMAL DECISIONS: EVANS

MR. TANNER: I make a motion that we accept the formal decision of Evans. Said decision is attached and made part of the minutes.


MR. TORLEY: I'll second that.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

Being that there was no further business to come before the Board a motion was made to adjourn the meeting by Mr. Nugent seconded by Mr. Konkol and approved by the Board.

Respectfully Submitted;


FRANCES SULLIVAN
Stenographer

MRS. BARNHART: You'll get a copy of it in the mail,
signed, sealed and delivered.

MR. LOIS: Okay, thank you.

NEW WINDSOR ZONING BOARD OF APPEALS

In the Matter of the Application of

JOHN S. EVANS,

#91-1.

DECISION GRANTING
USE AND AREA VARIANCES

WHEREAS, JOHN S. EVANS, INC., a corporation having an office located at 189 Windsor Highway, New Windsor, N.Y. 12553, has made application before the Zoning Board of Appeals for a (1) a use variance to construct a commercial building in an R-4 zone, and has applied for the following area variances: (2) 5,000 s.f. lot area, (3) 8 ft. side yard, (4) 35 ft. rear yard, (5) 1,000 s.f. minimum floor area and (6) 65% developmental coverage; and

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WHEREAS, John S. Evans, the principal in the above-mentioned corporation, appeared with his surveyor, William Hildreth L.S. of Grevas and Hildreth, in support of the application; and

WHEREAS, the public hearing was attended by a neighboring resident who did not oppose the application after she was assured that the applicant had no intention of encroaching on her property which was located adjacent to the rear of the parcel in question; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a commercial building in an R-4 zone in order to house his vehicles and that same is not a permitted use in the R-4 zone, and in addition, the applicant is seeking permission to vary the bulk regulations with regard to lot area, side yard, rear yard, minimum floor area and developmental coverage with regard to the proposed construction of said commercial building in the R-4 zone.

3. The evidence presented by the applicant indicated that the commercial use of this property by the applicant is a pre-existing non-conforming use, pre-dating the adoption of

zoning in the Town of New Windsor. The applicant stated that the adjacent lot, which is also owned by the applicant, had been used for commercial purposes, in connection with the operation of his father's, and then his, business since the 1930's. In addition, the applicant further stated that the subject lot has been used for the parking of his commercial vehicles for 17 years.

4. The evidence presented by applicant further indicated that the applicant had suffered several incidents of vandalism to his vehicles due to their present outdoor storage on the subject property. The applicant stated that a fence would not afford adequate protection to his vehicles on the subject property since they would still be parked outside.

5. The Board finds that the applicant's present operation of his commercial business in an R-4 zone, and his present usage of the subject property for outdoor storage of equipment, is a pre-existing, non-conforming use of the property. Essentially the applicant seeks only to enclose within a building his present non-conforming, outdoor storage of equipment.

6. The applicant has filed the required short environmental assessment form in connection with his application.

7. The Zoning Board of Appeals of the Town of New Windsor has declared itself an involved agency in regard to the review of the applicant's request for a use variance, on the assumption that the Planning Board of the Town of New Windsor ultimately will declare itself lead agency in regard to the proposed construction by the applicant.

8. The Zoning Board of Appeals of the Town of New Windsor has reviewed the short environmental assessment form prepared by the applicant and has heard some of the neighbors speak out at the proposal at its aforesaid public hearing, and finds that the granting of this requested use variance will not result in any significant adverse environmental impact, and consequently has made a negative declaration under SEQRA for the requested use variance.

9. Based upon the evidence presented and the Board's familiarity with the applicant's property and the surrounding area, it is the finding of this Board that the applicant has demonstrated unnecessary hardship, enabling him the granting of the requested use variance to construct a commercial building in an R-4 zone.

10. The land in question cannot yield a reasonable return if used only for a permitted use due to its location next to the pre-existing, non-conforming commercial use.

11. The applicant's plight is unique, given the historical

usage of the subject property for outdoor storage, immediately adjacent to the commercial business, both of such uses being pre-existing and non-conforming.

12. The proposed use by the applicant will not alter the residential essential character of the locality since it merely will enclose within a building the present outdoor storage on the site.

13. The hardship in question is not self-created.

14. It is the further finding of this Board that the applicant has made a sufficient showing of practical difficulty and entitle him to the granting of the requested bulk variances.

15. The applicant has shown significant economic injury from the application of the bulk requirements to the subject property since the premises would be virtually unusable for any commercial building without substantial bulk variances to accompany the use variance, and the pre-existing outdoor storage of equipment has been shown to be uneconomic due to the ongoing problem of vandalism, and the subject property would be undesirable as a site for conforming, residential construction due to the immediately adjacent commercial business.

16. The requested variances are substantial in relation to the required bulk regulations that are granted by this Board on the basis that they represent a reasonable adjustment of the applicant's rights to make a use of subject property to which it is reasonably adapted, given the pre-existing non-conforming, present use thereof.

17. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

18. The requested variances will produce no effect on the population density or governmental facilities.

19. That there is no other feasible method available to applicant which can produce the necessary results other than the variance procedure.

20. The interest of justice would be served by allowing the the granting of the requested variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) a use variance for the construction of a commercial building in an R-4 zone, and the following area variances: (1) 5,000 s.f. lot area; (2) 8 ft. side yard; (3) 35 ft. rear yard; (4) 1,000 s.f. minimum floor area; and (5) 65% developmental coverage sought by applicant in accordance with a

plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: March 25, 1991.


Chairman

(ZBA DISK#3-053085.FD)

4-4-97

90-21

APR 1 - 1991

Rev. 1

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

subdivision _____ as submitted by

Graves & Hildner for the building or subdivision of
Mae H. Evans has been

reviewed by me and is approved L

disapproved _____

~~If disapproved, please list reason~~ _____

Should not interfere with water service.

Call water dept. for any assistance.

HIGHWAY SUPERINTENDENT

Stan Dill

WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
CC: M.F.



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. MCGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B # 90-21
WORK SESSION DATE: 2 April 1991 APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: No REQUIRED: New Plans
PROJECT NAME: Evans
PROJECT STATUS: NEW _____ OLD X
REPRESENTATIVE PRESENT: WJH
TOWN REPS PRESENT: BLDG INSP. VAC
FIRE INSP. Reg'd
ENGINEER X
PLANNER _____
P/B CHMN. _____
OTHER (Specify) _____

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

New plans submitted
will be in for approval
probably 4/10/91

CC: 62

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

JOHN S. EVANS,

#91-1.

-----X

DECISION GRANTING
USE AND AREA VARIANCES

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WHEREAS, a public hearing was held on the 25th day of February, 1991 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, John S. Evans, the principal in the above-mentioned corporation, appeared with his surveyor, William Hildreth L.S. of Grevas and Hildreth, in support of the application; and

WHEREAS, the public hearing was attended by a neighboring resident who did not oppose the application after she was assured that the applicant had no intention of encroaching on her property which was located adjacent to the rear of the parcel in question; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to construct a commercial building in an R-4 zone in order to house his vehicles and that same is not a permitted use in the R-4 zone, and in addition, the applicant is seeking permission to vary the bulk regulations with regard to lot area, side yard, rear yard, minimum floor area and developmental coverage with regard to the proposed construction of said commercial building in the R-4 zone.

3. The evidence presented by the applicant indicated that the commercial use of this property by the applicant is a pre-existing non-conforming use, pre-dating the adoption of

zoning in the Town of New Windsor. The applicant stated that the adjacent lot, which is also owned by the applicant, had been used for commercial purposes, in connection with the operation of his father's, and then his, business since the 1930's. In addition, the applicant further stated that the subject lot has been used for the parking of his commercial vehicles for 17 years.

4. The evidence presented by applicant further indicated that the applicant had suffered several incidents of vandalism to his vehicles due to their present outdoor storage on the subject property. The applicant stated that a fence would not afford adequate protection to his vehicles on the subject property since they would still be parked outside.

5. The Board finds that the applicant's present operation of his commercial business in an R-4 zone, and his present usage of the subject property for outdoor storage of equipment, is a pre-existing, non-conforming use of the property. Essentially the applicant seeks only to enclose within a building his present non-conforming, outdoor storage of equipment.

6. The applicant has filed the required short environmental assessment form in connection with his application.

7. The Zoning Board of Appeals of the Town of New Windsor has declared itself an involved agency in regard to the review of the applicant's request for a use variance, on the assumption that the Planning Board of the Town of New Windsor ultimately will declare itself lead agency in regard to the proposed construction by the applicant.

8. The Zoning Board of Appeals of the Town of New Windsor has reviewed the short environmental assessment form prepared by the applicant and has heard some of the neighbors speak out at the proposal at its aforesaid public hearing, and finds that the granting of this requested use variance will not result in any significant adverse environmental impact, and consequently has made a negative declaration under SEQRA for the requested use variance.

9. Based upon the evidence presented and the Board's familiarity with the applicant's property and the surrounding area, it is the finding of this Board that the applicant has demonstrated unnecessary hardship, enabling him the granting of the requested use variance to construct a commercial building in an R-4 zone.

10. The land in question cannot yield a reasonable return if used only for a permitted use due to its location next to the pre-existing, non-conforming commercial use.

11. The applicant's plight is unique, given the historical

usage of the subject property for outdoor storage, immediately adjacent to the commercial business, both of such uses being pre-existing and non-conforming.

12. The proposed use by the applicant will not alter the residential essential character of the locality since it merely will enclose within a building the present outdoor storage on the site.

13. The hardship in question is not self-created.

14. It is the further finding of this Board that the applicant has made a sufficient showing of practical difficulty and entitle him to the granting of the requested bulk variances.

15. The applicant has shown significant economic injury from the application of the bulk requirements to the subject property since the premises would be virtually unusable for any commercial building without substantial bulk variances to accompany the use variance, and the pre-existing outdoor storage of equipment has been shown to be uneconomic due to the ongoing problem of vandalism, and the subject property would be undesirable as a site for conforming, residential construction due to the immediately adjacent commercial business.

16. The requested variances are substantial in relation to the required bulk regulations that are granted by this Board on the basis that they represent a reasonable adjustment of the applicant's rights to make a use of subject property to which it is reasonably adapted, given the pre-existing non-conforming, present use thereof.

17. The requested variances will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

18. The requested variances will produce no effect on the population density or governmental facilities.

19. That there is no other feasible method available to applicant which can produce the necessary results other than the variance procedure.

20. The interest of justice would be served by allowing the the granting of the requested variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) a use variance for the construction of a commercial building in an R-4 zone, and the following area variances: (1) 5,000 s.f. lot area; (2) 8 ft. side yard; (3) 35 ft. rear yard; (4) 1,000 s.f. minimum floor area; and (5) 65% developmental coverage sought by applicant in accordance with a

plan filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: March 25, 1991.


Chairman

(ZBA DISK#3-053085.FD)

PROJECT I.D. NUMBER

90-21

CC: P.B. ✓

617.21

SEQR

Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT/SPONSOR <u>JOHN S. EVANS, INC</u>	2. PROJECT NAME <u>SITE PLAN</u>
3. PROJECT LOCATION: Municipality <u>TOWN OF NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>127-133 JOHN STREET (SOUTH SIDE), 300' WEST OF SPRING STREET</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>CONSTRUCTION OF 2,520 SQ. FT. POLE BUILDING</u>	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.23</u> acres Ultimately <u>0.23</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If No, describe briefly <u>USE AND BULK VARIANCES REQUIRED FROM TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS</u>	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>JOHN S. EVANS</u>	Date: <u>31 Jan. 1991</u>
Signature: <u>William B. Tilden, L.S.</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>PLANNING BOARD - LEAD AGENCY</u>	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: <u>NO</u>	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: <u>NO</u>	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: <u>NO</u>	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: <u>NO</u>	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: <u>NO</u>	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: <u>NO</u>	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: <u>NO</u>	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input checked="" type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
<u>2347 - INVOLVED AGENCY</u>	
<u>[Signature]</u> Name of Lead Agency	
<u>[Signature]</u> Print or Type Name of Responsible Officer in Lead Agency	<u>[Signature]</u> Title of Responsible Officer
Signature of Responsible Officer in Lead Agency Signature of Preparer (if different from responsible officer)	
<u>2/27/91</u> Date	

ZONING BOARD OF APPEALS
February 25, 1991

AGENDA:

7:30 p.m. - ROLL CALL

Motion to accept minutes of 1/14/91 and 1/28/91 as written.

SE PI ZONE PRELIMINARY MEETING:

RETURN 1. TRADE AUTO - Referred by Planning Board. Request for expansion of pre-existing non-conforming use on Walsh Road to expand to spray paint shop in PI zone. Present: William Hildreth, P. E. and Art Glynn.

ET UP FOR
PUBLIC HEARINGS 2. AUGUST ASSOCS. - Request for 184.50 s.f sign variance to be located at intersection of Temple Hill Rd./ Union Avenue (Rent All Center) in a PI zone. Present: Mr. Eugene Lois.

RETURN
PUBLIC HEARINGS:

PUBLIC HEARINGS 3. LUGO, PEDRO - Request for use and (1) 29,208 s.f. lot area, (2) 80 ft. lot width, (3) 18 ft. side yard and (4) 18.6 ft. building height variances to construct single family residential dwelling in PI zone.

APPROVED 4. MANS, LOURENS - Request for area variance to construct garage in front portion of property - Sec. 48-14(4) Supplemental Yard Regs. for property located on Shore Drive in R-4 zone.

APPROVED 5. EVANS, JOHN S. - Request for use variance to construct a commercial building in an R-4 zone and (1) 5,000 s.f. lot area, (2) 8 ft. sideyard, (3) 35 ft. rear yard, (4) 1,000 s.f. minimum livable area and (5) 65% developmental coverage. Present: William Hildreth, P.E.

FORMAL DECISION: (1) BABCOCK

PAT - 565-8550 (O)
562-7107 (H)

PUBLIC HEARING: EVANS, JOHN S.

MR. KONKOL: This is a request for use variance to construct a commercial building in an R-4 zone and (1) 5,000 square foot lot are, (2) 9 foot sideyard, (3) 35 foot rear yard, (4) 1,000 square foot minimum livable area and (5) 65% developmental coverage.

Mr. William Hildreth, P.E. of Grevas & Hildreth came before the Board representing this proposal.

MR. BABCOCK: Maybe just quickly before they start, we went over these numbers last time. We decided to use column A 10 and myself and Bill went over what was the new building, what was the old building and exactly the numbers that you gentlemen wanted.

MR. KONKOL: Fine, okay.

MR. NUGENT: I have one question. What's the 1,000 square foot minimum livable area. This is a garage.

MR. HILDRETH: It's a residential zone.

MR. BABCOCK: It's a requirement that he has at least 1,000 square feet.

MR. NUGENT: Okay.

MR. HILDRETH: My name is William Hildreth and I'm Vice President of Grevas & Hildreth, land surveyors and I represent the applicant, Mr. Evans who is with me here tonight. First order of business, I guess is the mailings. Here is the assessor's list. There were, I can, they are in order but I can give you the demographics. We sent 50 notices, 5 were not returned which I don't know, I saw you had the envelope, I don't know if you sent the green card back or not. That's Mrs. Conklin and 1 was undelivered which you can see right there. I also have a copy of the notice if you want it.

MRS. BARNHART: No, I already have it, thank you.

MR. KONKOL: For the Members of the Board that weren't here, if you want to explain what Mr. Evans wants to do.

MR. HILDRETH: Certainly. He has an existing business which is on John Street in a residential zone and he also has a lot next door which he's been parking his

vehicles on and he wants to erect a building to put those vehicles in. Because it's in a residential zone, this is also going to require a use variance which was on the application as well. The numbers as Mike said appear at the top under the heading bulk tables. I'll go over them if you wish. What it amounts to in terms of bulk requirements, 5,000 square foot area variance. There are four tax lots involved. Of those four, we are looking at only two because that's the area to be developed and the other two tax lots already have the existing building on it. So, he has a total of 20,000 or excuse me, no, 10,000 square feet, excuse me. All right, I take that back, we're using the total area, right?

MR. BABCOCK: Yes.

MR. HILDRETH: It's 10,000. The amount of variance request is the same, 5,000 square feet. The side yard would be on the right side, 7 feet to the new building. Rear yard is 5, that results in a request of an 25 side yard variance and 35 foot rear yard. You'll notice that the existing building on its left side and rear side is much closer than that already. To answer Mr. Nugent's comment about the minimum livable floor area, obviously there's no residences on this. There's no livable floor area. However, it's in a residential zone so we're requesting the full amount of that variance. Developmental coverage we're not really increasing the developmental coverage because he was already using it as parking area. However, it exceeds the 30% residential developmental coverage. So, based on a 95% developmental coverage, we're looking for 65% variance that covers the bulk requirements and the amounts of the variances. I know there's new members, if you have any questions.

MR. PETRO: The Sager property, what's there?

MR. HILDRETH: That's a residential.

MR. PETRO: How far away from the property line is he?

MR. HILDRETH: Down here.

MR. PETRO: There's nothing back here at all?

MR. HILDRETH: There's a back yard, there's a fence but no structures. This is the building.

MR. TORLEY: And again, sir, would you address the issue of why you need the enclosed building rather than just a fence?

MR. HILDRETH: It's to protect the equipment against vandalism. The trucks are exposed out there in the parking lot. The fence can be reached, you can climb it, you can throw things over it. A building just is safer from a business standpoint. It's just safer.

MR. FINNEGAN: The purpose of the garage is simply and only be used to just house the trucks?

MR. HILDRETH: Yes.

MR. FINNEGAN: No business is going to take place inside the building?

MR. HILDRETH: You have an office in the other building?

MR. EVANS: My office is in my father's house.

MR. HILDRETH: That's it, it's just parking. I have pictures. They were requested at the last meeting.

MR. KONKOL: We would like to see them.

MR. HILDRETH: I also have, if no one minds turning around, I can post the map which shows the directions that they were taken. I have a total of 8 pictures. I can start with #1 taken from the street at the lower left hand side looking towards the property. #2 is farther down the street about the middle of the property looking towards the lower right hand corner of the building. #3 same position looking towards the empty lot that's going to have the building on it. #4 is taken from the street in the right hand side of the property looking towards the rear. #5 is closer to the building looking down what in the future will be between the two buildings. #6 is in the back looking at the corner where the wood steps are. That's an entry. #7 is standing on the property about where the front of the building would be looking across the street. #8, okay, #8 is about at the property line looking down between the two buildings.

MR. TORLEY: Sir, did you discuss this with the Fire Marshall about the access with the building?

MR. HILDRETH: I have not.

MR. FINNEGAN: I thought they already did that.

MR. BABCOCK: This went to the Planning Board and was referred here. The Bureau of Fire Prevention has approved it, Bobby Rogers, May of '90.

MR. FINNEGAN: Where these two trucks are, that's right where the building is going?

MR. HILDRETH: Yes, that's the snow is there now but it's a parking lot that he's been parking the trucks on and that's the area encompassed.

MR. PETRO: Five (5) foot alleyway coming down between the two buildings?

MR. HILDRETH: That's what they are going to end up with.

MR. TORLEY: Just about where that truck is.

MR. HILDRETH: That's point five. One of these pictures shows the deck, you can see how far out from the building the deck comes. That's right about where the building is going to be, they're numbered on the back, #6 does show that. All it shows is the steps.

MR. PETRO: You can see that's going to be the side of it.

MR. HILDRETH: There might have been a concrete frame that's under the snow.

MR. PETRO: There's a little deck there, it's under the snow.

MR. HILDRETH: That gives you an idea of the scale though.

MR. PETRO: Back of this property is below grade, you have 8 feet below.

MR. HILDRETH: Yes, there's a retaining wall here, 11 and 560, not a bad guess though by looking at the pictures.

MR. KONKOL: If there is anyone here in reference, if they want to stand and state their name and address and whether you are for or against it.

YVONNE CONKLIN: My name is Yvonne Conklin and I live at 23 High Street, New Windsor and the back of his building is right to my back yard and he's telling me that I have got sections 13, 5 and 22 and he's telling me that they won't be in my back yard but I can't understand. All right, he pointed out a block, blocks 13, blocks 13 and blocks 5, I don't want nobody in my back yard. I'm not giving up none of my back yard.

MR. KONKOL: His existing building is already bordering your property.

MRS. CONKLIN: Yes but there ain't nothing else going on it.

MR. KONKOL: No, nothing else in that area going to be there. Would you like to come up and see this map further? I think it would be easier.

MRS. CONKLIN: I'm not trying to be rotten.

MR. HILDRETH: She recognizes the tax map numbers. She's just trying to--

MRS. CONKLIN: I have got four kids. Can you understand what I am saying?

MR. KONKOL: What he is proposing to do, this is your property right here, okay, this is his existing building where he is now, okay, this is the yard over here where he is parking the trucks. This is where he wants to put the building. He wants to close that up so he can put equipment under cover and your building is way over here.

MRS. CONKLIN: I'm up on High Street, where is his?

MR. KONKOL: Existing shop is right here now.

MRS. CONKLIN: Then I'm up here because it comes, my back yard comes right down here where his shop is.

MR. HILDRETH: Right.

MR. KONKOL: This is over here, I guess where his father lives over this way, right?

MRS. CONKLIN: I don't know where his father is.

MR. KONKOL: It's not going to effect you at all.

MRS. CONKLIN: I don't understand the 13 and the 5 and he was trying to tell me.

MR. HILDRETH: She recognizes her section and her block number and she thought that that meant we were talking about her tax lot.

MR. BABCOCK: Section and block are all the same in the same area. A section number would be the same, it's a large map, a large map would be a section of New Windsor. A block would be a large area in that section

and then individual lot numbers so the only thing that would be different from you and this gentleman would be a lot number. Your section and block would be the same.

MRS. CONKLIN: Well, the only reason I even came here was because I thought he was trying to build something in my back yard.

MR. BABCOCK: He cannot build on your property.

MR. KONKOL: Here you see where his property is now which is by your yard, this over here is going to be the building, okay?

MRS. CONKLIN: All right, just as long as he ain't getting in my yard.

MR. KONKOL: You're not objecting then, Mrs. Conklin based on that it is not being built on your property?

MRS. CONKLIN: No, I don't care as long as he don't get on my property. I got four kids, I got the big back yard for my kids and my dogs and my cats.

MR. KONKOL: It will be the same, okay?

MRS. CONKLIN: All right and maybe I'll move out soon.

MR. KONKOL: Okay, I'm going to close the public hearing and kick it back to the Board. No questions?

MR. HILDRETH: I brought an example of what he wants it to look like.

MR. KONKOL: Can I have a motion?

MR. LUCIA: Since this is a use, an area variance on the use variance, Bill, can I have you speak to the issue of unnecessary hardship. They specifically-- does Mr. Evans take the position that the land as it's presently zoned can't yield a reasonable return if used only for residential purposes?

MR. HILDRETH: Yes, based on the fact that it's an existing, on-going business, that's correct.

MR. LUCIA: Is his situation unique with respect to this property?

MR. HILDRETH: It's unique.

MR. PETRO: It's the only crane service in New Windsor.

MR. HILDRETH: Yes.

MR. KONKOL: Jack, would you want to comment on how many years you have been in that location?

MR. EVANS: I have been using that piece of property 17 years to park on and the other one, my father went in business in 1930 so I guess around 35, 1936 we have been in that garage, the old garage, even bought that property 17 years ago.

MR. TORLEY: Predated any zoning.

MR. LUCIA: Will this alter the essential character of the locality?

MR. HILDRETH: I would say not.

MR. KONKOL: I would say improve it.

MR. FINNEGAN: It's going to be used for the same purpose.

MR. HILDRETH: Same purpose, the trucks that are there are still going to be there. He just wants to enclose it.

MR. LUCIA: Is that in any way a selfcreated hardship?

MR. HILDRETH: No, sir.

MR. LUCIA: Let's turn to the area variance, what significant economic injury is he claiming entitles him to this area variance?

MR. HILDRETH: He needs to protect his trucks, to protect his business or to keep his business he needs the trucks to use in his business.

MR. FINNEGAN: That's taken 17 years now the vandalism has increased.

MR. EVANS: I had more trucks than I had in the past and I painted two trucks already this year because they got banged up.

MR. LUCIA: If we can just for a moment let's turn to see, I'm not sure how far along you were with the Planning Board. Did the Planning Board take lead agency status or have they done anything with respect to SEQRA?

MR. HILDRETH: They have not. If they have declared lead agency, that's all. If you want, I can check the files and see if I can come up with anything but I don't even know if they have done that yet. I think all I got was a referral. I don't have it. Mike, do you recall?

MR. BABCOCK: I don't have anything here. Let me just. No, I don't have anything. I think it was just strictly a referral.

MR. LUCIA: I presume ultimately they'll take lead agency status. We would just be an involved agency on it and--

MR. HILDRETH: That's their normal practice.

MR. LUCIA: On the use variance, just to cover us for SEQRA, we probably should entertain a motion to be an involved agency on this assuming the Planning Board ultimately takes lead agency status and we also would have to make a negative declaration that there is no significant adverse environmental impact from the use variance on this property so we probably should do that as two separate motions as well as the motion on the use variance.

MR. TORLEY: I'll make a motion for a negative finding.

MR. LUCIA: Negative declaration.

MR. FINNEGAN: Did Sager return one of those cards?

MR. HILDRETH: I don't think that's one of the ones that did not come back.

MR. TORLEY: I make a motion to have a negative finding for SEQRA.

MR. LUCIA: First a motion to be an involved agency, assuming the Planning Board becomes lead agency.

MR. TORLEY: I move that we become an involved agency for the SEQRA procedures.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye

ROLL CALL (CONT'D):

Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: Now you want a motion for the negative declaration?

MR. TORLEY: I'll move for a negative declaration for SEQRA purposes.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: Now we--

MR. NUGENT: I make a motion we grant the variance.

MR. PETRO: I'll second that one.

MR. LUCIA: Both the use and the area variance.

ROLL CALL:

Mr. Torley	Aye
Mr. Finnegan	Aye
Mr. Petro	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye

MR. KONKOL: You're going to have to wait for the formal decision before you can start.

MR. HILDRETH: I have to go back to the Planning Board anyway.

DISCUSSION:

Mr. Paul Martin came before the Board.

MR. MARTIN: I'm with WGNV Radio. I got a press release from Nancy Calhoun's office a month ago talking about a State grant that an organization known as Wind in the Willows had received to open up a day care center in New Windsor. She said that there was a problem with zoning in the town. I just wanted to see if anyone here, if you knew about that.

MR. LUCIA: You and I spoke on the phone, did we not?

MR. MARTIN: Yes, I believe about a month ago.

MR. LUCIA: And that answer I gave you then was the same answer I'll give you tonight. This Board decided there were some issues that ought to be referred back to the Planning Board. Within the next couple of days, I should be forwarding a letter to the Planning Board along with copies of the minutes of several of the meetings this Board has had on the matter and at that point, you are welcome to go to the Planning Board hearing and hear all about it.

MR. MARTIN: That's all I wanted to know. When does the Planning Board meet?

MR. LUCIA: This Wednesday and I don't know if that's on their agenda.

MRS. EARNHART: It is not on their agenda.

MR. TORLEY: Our minutes are public record too.

MR. MARTIN: Thank you.

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

PLANNING BOARD FILE NUMBER: 90-21

APPLICANT: John N. Evans

30 Hilltop Drive

New Windsor, N.Y. 12553

Revised
DATE: 1-31-91

#1 ZBA - 1-14-91
SET UP FOR PUBLIC HEARING

#2 ZBA 2-25-91
PUBLIC HEARING
APPROVED

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 4 April 1990

FOR (~~SUBDIVISION~~ - SITE PLAN) _____

LOCATED AT John Street

_____ ZONE R-4

DESCRIPTION OF EXISTING SITE: SEC: 13 BLOCK: 5 LOT: 5 & 6

IS DISAPPROVED ON THE FOLLOWING GROUNDS: USE VARIANCE AND
AREA VARIANCE'S OF LOT AREA - ONE
SIDE YARD - REAR YARD - MIN LIVABLE AREA
DEV. COVERAGE

PLANNING BOARD CHAIRMAN

<u>REQUIREMENTS</u>	<u>COLUMN A-10</u>	<u>PROPOSED OR AVAILABLE</u>	<u>VARIANCE REQUEST</u>
ZONE <u>R4</u> USE _____			
MIN. LOT AREA	<u>15,000</u>	<u>10,000</u>	<u>5,000</u> ✓
MIN. LOT WIDTH	<u>100</u>	<u>100</u>	<u>—</u>
REQ'D FRONT YD	<u>35</u>	<u>—</u>	<u>—</u>
REQ'D SIDE YD.	<u>15</u>	<u>NEW BUILDING 7'</u>	<u>8</u> ✓
REQ'D TOTAL SIDE YD.	<u>30</u>	<u>—</u>	<u>—</u>
REQ'D REAR YD.	<u>40</u>	<u>NEW BUILDING 5'</u>	<u>35</u> ✓
REQ'D FRONTAGE	<u>60</u>	<u>—</u>	<u>—</u>
MAX. BLDG. HT.	<u>35</u>	<u>—</u>	<u>—</u>
FLOOR AREA RATIO	<u>NA</u>	<u>—</u>	<u>—</u>
MIN. LIVABLE AREA	<u>1,000.00</u>	<u>0</u>	<u>1,000.00</u> ✓
DEV. COVERAGE	<u>30</u> %	<u>95</u> %	<u>65</u> % ✓
O/S PARKING SPACES	<u>—</u>	<u>—</u>	<u>—</u>

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

OFFICE OF THE PLANNING BOARD - TOWN OF NEW WINDSOR
ORANGE COUNTY, NYNOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATIONPLANNING BOARD FILE NUMBER: 90-21APPLICANT: JOHN M. EVANS30 HILL TOP DRIVENEW WINDSOR N.Y. 12553DATE: 23 NOV '90#1 ZBA. 1-14-91
SET UP FOR PUBLIC HEARINGSPLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 4 APRIL 1990FOR (~~SUBDIVISION~~) - SITE PLAN) _____LOCATED AT JOHN STREETZONE R-4DESCRIPTION OF EXISTING SITE: SEC: 13 BLOCK: 5 LOT: 5 & 6

IS DISAPPROVED ON THE FOLLOWING GROUNDS: APPLICANT PROPOSES
CONSTRUCTION OF EQUIPMENT STORAGE BUILDING FOR
EXISTING NON-CONFORMING USE. ZONING BOARD
MAY WISH TO CONSIDER USE VARIANCE FOR EXTENSION
AS WELL AS SETTING OVERALL BULK REQUIREMENTS.


PLANNING BOARD CHAIRMAN

REQUIREMENTS

USE A-10

PROPOSED OR
AVAILABLE

VARIANCE ^{USE A-10}
REQUEST

ZONE R4 USE EXISTING

MIN. LOT AREA 15,000

MIN. LOT WIDTH 100

REQ'D FRONT YD 35

REQ'D SIDE YD. NONE

REQ'D TOTAL SIDE YD. NON-CONFORMING

REQ'D REAR YD. ASSIGNED

REQ'D FRONTAGE 60

MAX. BLDG. HT. 35

FLOOR AREA RATIO NA

MIN. LIVABLE AREA NONE

DEV. COVERAGE NONE %

O/S PARKING SPACES NONE

(AMOUNTS REQUIRED
TO BE DETERMINED
BY ZBA)

~~10,000~~ SF 5,000

100 FT

35 4.2 FT

OLD BLD 0.2 FT

OLD BLD 7.2 FT

OLD BLD 0.2 FT

100 FT

NOT INDICATED

NOT INDICATED

0

NOT INDICATED

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
(914-565-8550) TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, P.B. ENGINEER, P.B. FILE

May 9, 1990

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TOWN OF NEW WINDSOR

PLANNING BOARD MEETING

WEDNESDAY, MAY 9, 1990 - 7:30 P.M.

MEMBERS PRESENT:

John Pagano

Dan McCarville

Henry VanLeeuwen

Vince Soukup

Carmen DuBaldi

ALSO PRESENT:

Mark Edsall, P.E., Planning Board Engineer

Andrew Krieger, Esq., Planning Board Attorney

Michael Babcock, Building Inspector

Dino Sciamanna

ABSENT:

Ron Lander

Carl Schiefer

BY MR. PAGANO: I'd like to call the May 9, 1990 regular meeting of the Planning Board of the Town of New Windsor to order. We will dispense with the approval of the minutes until next month's meeting.

JOHN EVANS SITE PLAN:

John Evans came before the Board presenting his proposal.

BY MR. EVANS: I live at 30 Hilltop Drive. At this point in time, I don't know what to say. I sat with these fellas twice or once with Babcock and the other fella twice.

BY MR. VANLEEUEWEN: What is this building mainly for?

BY MR. EVANS: Just storage, just protect my trucks from vandalism.

BY MR. VANLEEUEWEN: They are hitting you, too?

BY MR. EVANS: It is a tough section, funny section, let me put it that way.

BY MR. SOUKUP: What is the existing building height, the concrete building height?

BY MR. EVANS: Fourteen feet.

BY MR. SOUKUP: New one is --

BY MR. EVANS: With the peak, I'd go 20 feet. It's got a peak. I have a flat roof building now.

BY MR. VANLEEUEWEN: That is at the center of the peak, so probably 20 feet, probably 14 feet at the eave height, depends how big the building is, 42 feet probably, 14 to 16.

BY MR. EVANS: I want to make this area wider to widen it out.

BY MR. VANLEEUEWEN: What kind of building are you going to put?

BY MR. EVANS: Pole building.

BY MR. MCCARVILLE: You are going to have to go to the Zoning Board for a setback variance, five foot off the property line.

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BY MR. VANLEEUEWEN: Five feet in the back and seven feet on the right side of the property and you have got 42 foot setback.

BY MR. PAGANO: Mark, I know you just walked in, we hate to ask you a question so can you elaborate on this Evans application as to, you know, his sight distances, clearances, variances, whatever else is needed here?

BY MR. EDSALL: It is a nonconforming use in that zone. If it was a connected extension it would be allowed up to 30 percent but by virtue of the fact that it is not a connected extension, it is a new building and by virtue of the fact it is over 30 percent anyway, it exceeds that portion of the zone that could slip under as far as extension of nonconforming uses which means that what he is doing isn't allowed by zoning, so he needs to go to the Zoning Board of Appeals.

BY MR. PAGANO: We have to turn him down so he can go to the Zoning Board?

BY MR. EDSALL: What he should do is make sure that the surveyor provides enough information so any variance he needs he gets, so when he comes back they have given him the variances for everything he needs so this Board can consider it.

BY MR. SOUKUP: You are going to need a site plan with all the yard requirements and building coverages.

BY MR. EVANS: I don't think my surveyor is capable of doing that.

BY MR. EDSALL: One of the problems we had is that since the zoning doesn't allow it, we don't know what bulk requirements he has to provide, so the Zoning Board is going to tell us that, so the Zoning Board should allow him a variance for this specific case and maybe they will allow him to build a building a certain height, a certain setback because our Board doesn't have a bulk table for this use. It is nonconforming.

BY MR. VANLEEUEWEN: If he added, can I say

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something to you, if he made that a concrete block building and put an addition to his building, then he can have 30 percent more?

BY MR. EDSALL: We discussed that with him at the work session but --

BY MR. VANLEEUEWEN: Not big enough?

BY MR. EVANS: No.

BY MR. EDSALL: It wasn't enough so if he needed more than 30 percent, he should try for what he wants. If he doesn't get the variance, then he should try for the 30 percent and use the other portion of the lot.

BY MR. PAGANO: We need a motion to approve so we can disapprove.

BY MR. VANLEEUEWEN: I will make a motion to approve it.

BY MR. MCCARVILLE: I will second it.

ROLL CALL:

VanLeeuwen:	No.
McCarville:	No.
Soukup:	No.
DuBaldi:	No.
Pagano:	No.

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May 9, 1990

16

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May 9, 1990

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BY MR. SOUKUP: They should provide us with a bulk table for the site plan approval process.

ZONING BOARD OF APPEALS
REORGANIZATIONAL SESSION
JANUARY 14, 1991

AGENDA:

7:30 P.M. - ROLL CALL

Motion to accept minutes of the November 26th and December 10, 1990 meeting as written.

PRELIMINARY MEETING:

ET UP FOR
BLIC
SARING 1. EVANS, JOHN N. - Request for extension of pre-existing non-conforming equipment garage located in R-4 zone. Area and possibly use variances required.

ET UP FOR
BLIC
SARING 2. ANTONELLI, FRANK - Request for 98 s.f. sign area variance for existing stores at 170A Windsor Highway in NC zone.

PUBLIC HEARING:

NO SHOW 3. WAXTEL/BOSS GLASS - Request for 6.7/0.7 ft. front yard, 2.35 ft. maximum bldg. height and 132 parking space variances in order to operate a window manufacturing facility at 335 Temple Hill Road in a PI zone. Present: William Squires, P.E.

APPROVED 4. PAIGE, CLIFFORD - Request for 7 ft. sideyard variance to construct addition to residential dwelling located at 21 Knox Drive in an R-4 zone.

APPROVED 5. BABCOCK, KENNETH - Request for 80 s.f. sign area, 5 ft. sign height and 11 ft. setback to replace existing sign located on Temple Hill Road in C zone.

* * *

FORMAL DECISIONS: (1) DUFFER'S HIDE-A-WAY

(2) DENHOFF DEVELOPMENT CORP.

3 NEXT MEETING

* * *

REORGANIZE:

Motion to appoint (1) CHAIRMAN, (2) VICE CHAIRMAN, (3) ATTORNEY, (4) SECRETARY, and (5) RECORDING SECRETARY.

PAT - 565-8550 (O)
562-7107 (H)

EVANS.PB

INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 14 May 1990

SUBJECT: Mae Evans Plot Plan

PLANNING BOARD REFERENCE NUMBER: PB-90-21

DATED: 8 May 1990

FIRE PREVENTION REFERENCE NUMBER: FPS-90-038

A review of the above referenced plot plan was conducted on 14 May 1990.

This plot plan is found acceptable.

PLANS DATED: 29 September 1989, Revision 1.


Robert F. Rodgers; CCA
Fire Inspector

RR:mr
Att.

CC: H.E.

90 - 21

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, **SANITARY INSP.**,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval ✓
Subdivision _____ as submitted by
Frank M. Hoens for the building or subdivision of
MAE H. EVANS has been
reviewed by me and is approved ✓
disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

Lumman D. Masten Jr.
SANITARY SUPERINTENDENT

May 9, 1990
DATE

MAY 3 - 1990

90 - 21

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
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MAE H. EVANS for the building or subdivision of
_____ has been
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disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT

WATER SUPERINTENDENT

J. P. [Signature]
SANITARY SUPERINTENDENT

5-9-90

DATE

✓
cc: M.E.

May 9, 1990

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JOHN EVANS SITE PLAN: 90-21

John Evans came before the Board presenting his proposal.

BY MR. EVANS: I live at 30 Hilltop Drive. At this point in time, I don't know what to say. I sat with these fellas twice or once with Babcock and the other fella twice.

BY MR. VANLEEUEWEN: What is this building mainly for?

BY MR. EVANS: Just storage, just protect my trucks from vandalism.

BY MR. VANLEEUEWEN: They are hitting you, too?

BY MR. EVANS: It is a tough section, funny section, let me put it that way.

BY MR. SOUKUP: What is the existing building height, the concrete building height?

BY MR. EVANS: Fourteen feet.

BY MR. SOUKUP: New one is --

BY MR. EVANS: With the peak, I'd go 20 feet. It's got a peak. I have a flat roof building now.

BY MR. VANLEEUEWEN: That is at the center of the peak, so probably 20 feet, probably 14 feet at the eave height, depends how big the building is, 42 feet probably, 14 to 16.

BY MR. EVANS: I want to make this area wider to widen it out.

BY MR. VANLEEUEWEN: What kind of building are you going to put?

BY MR. EVANS: Pole building.

BY MR. MCCARVILLE: You are going to have to go to the Zoning Board for a setback variance, five foot off the property line.

May 9, 1990

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BY MR. VANLEEUEWEN: Five feet in the back and seven feet on the right side of the property and you have got 42 foot setback.

BY MR. PAGANO: Mark, I know you just walked in, we hate to ask you a question so can you elaborate on this Evans application as to, you know, his sight distances, clearances, variances, whatever else is needed here?

BY MR. EDSALL: It is a nonconforming use in that zone. If it was a connected extension it would be allowed up to 30 percent but by virtue of the fact that it is not a connected extension, it is a new building and by virtue of the fact it is over 30 percent anyway, it exceeds that portion of the zone that could slip under as far as extension of nonconforming uses which means that what he is doing isn't allowed by zoning, so he needs to go to the Zoning Board of Appeals.

BY MR. PAGANO: We have to turn him down so he can go to the Zoning Board?

BY MR. EDSALL: What he should do is make sure that the surveyor provides enough information so any variance he needs he gets, so when he comes back they have given him the variances for everything he needs so this Board can consider it.

BY MR. SOUKUP: You are going to need a site plan with all the yard requirements and building coverages.

BY MR. EVANS: I don't think my surveyor is capable of doing that.

BY MR. EDSALL: One of the problems we had is that since the zoning doesn't allow it, we don't know what bulk requirements he has to provide, so the Zoning Board is going to tell us that, so the Zoning Board should allow him a variance for this specific case and maybe they will allow him to build a building a certain height, a certain setback because our Board doesn't have a bulk table for this use. It is nonconforming.

BY MR. VANLEEUEWEN: If he added, can I say

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something to you, if he made that a concrete block building and put an addition to his building, then he can have 30 percent more?

BY MR. EDSALL: We discussed that with him at the work session but --

BY MR. VANLEEUEWEN: Not big enough?

BY MR. EVANS: No.

BY MR. EDSALL: It wasn't enough so if he needed more than 30 percent, he should try for what he wants. If he doesn't get the variance, then he should try for the 30 percent and use the other portion of the lot.

BY MR. PAGANO: We need a motion to approve so we can disapprove.

BY MR. VANLEEUEWEN: I will make a motion to approve it.

BY MR. MCCARVILLE: I will second it.

ROLL CALL:

VanLeeuwen:	No.
McCarville:	No.
Soukup:	No.
DuBaldi:	No.
Pagano:	No.

BY MR. VANLEEUEWEN: The Zoning Board is going to want a recommendation from us.

BY MR. SOUKUP: I don't think there is enough information on the plan to make a recommendation. We don't know what the criteria is, we don't know what bulk table to compare it against.

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McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

45 QUASSAICK AVE. (ROUTE 9W)
NEW WINDSOR, NEW YORK 12550

TELEPHONE (914) 562-8640
PORT JERVIS (914) 856-5600

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.

Licensed in New York,
New Jersey and Pennsylvania

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN OF New Windsor P/B # new
WORK SESSION DATE: 2 MAY 1990 (WED) APPLICANT RESUB.
REAPPEARANCE AT W/S REQUESTED: REQUIRED:
PROJECT NAME: Evans. S/P
PROJECT STATUS: NEW OLD
REPRESENTATIVE PRESENT: Mr./Mrs. Evans. Jack
TOWN REPS PRESENT: BLDG INSP. [initials]
FIRE INSP. [initials]
ENGINEER [initials]
PLANNER [initials]
P/B CHMN. [initials]
OTHER (Specify) [initials]

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

4 lots - should show then / should combine
Put on 5/9/90 agenda
needs ZBA referral
60x42 (35x95) (9x45)
2520 (3730)
5 clear needed - shrink bldg 60x40
LS to list rec variances

90-21



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**PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE**

TOWN OF New Windsor P/B # -

WORK SESSION DATE: Thurs. 15 FEB '90

APPLICANT RESUB.
REQUIRED: Yes Full App

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Gwane

PROJECT STATUS: NEW X OLD

REPRESENTATIVE PRESENT:

TOWN REPS PRESENT: BLDG INSP.
FIRE INSP. X
ENGINEER X
PLANNER
P/B CHMN.
OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

R-4 4275
-465

3810 (1/3) = 1143 allowed

60x42 = 2520 desired

exceeds 30% ext. variance

- add Sager house

- tax map #

- non-conf use in R-4 zone (note)

- no sewer or water s/vcs to be

installed in prop. bldg. (note)

*next avail
mtg after applic.*

3MJE89

90- 21

BUILDING INSPECTOR, PLANNING BOARD ENGINEER, FIRE INSPECTOR, SANITARY INSP.,
D.O.T., O.C.H., O.C.P., D.P.W., WATER, SEWER, HIGHWAY, REVIEW
FORM:

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by

Frank M. Hoens CS for the building or subdivision of
Wye H. Evans has been

reviewed by me and is approved ☒

disapproved ☐

~~If disapproved, please list reason~~

Should not interfere with Evans water
service

HIGHWAY SUPERINTENDENT

Steve D. D. D.
WATER SUPERINTENDENT

SANITARY SUPERINTENDENT

DATE

✓
CC: H.E.

Planning Board
Town of New Windsor
555 Union Avenue
New Windsor, NY 12550

(This is a two-sided form)

Date Received _____
Meeting Date _____
Public Hearing _____
Action Date _____
Fees Paid _____

APPLICATION FOR SITE PLAN, SUBDIVISION PLAN,
OR LOT LINE CHANGE APPROVAL

1. Name of Project 42' x 60' x 166" Storage
2. Name of Applicant John N. EVANS Phone 914-561-4183
Address 30 Hilltop Drive New Windsor, N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
3. Owner of Record John & Georgette Evans Phone 914-561-4183
Address 30 Hilltop Drive New Windsor, N.Y. 12553
(Street No. & Name) (Post Office) (State) (Zip)
Frank Hoens 914-294-2438
4. Person Preparing Plan Catherine Contr Phone 914-355-6475
15 William St. - Goshen, N.Y.
Address R.D. 1 Box 257 - State Hill, N.Y. 10973
(Street No. & Name) (Post Office) (State) (Zip)
5. Attorney Stewart P. Glenn Phone 562-0020
Address 388 Broadway Newburgh N.Y. 12550
(Street No. & Name) (Post Office) (State) (Zip)
6. Person to be notified to represent applicant at Planning Board Meeting John N. EVANS Phone 914-561-4183
(Name)
7. Location: On the South side of John Street
(Street)
150 feet South 62° 15' 00" East 100.0
(Direction)
of 131-133 John St.
(Street)
8. Acreage of Parcel each Lot same 9. Zoning District 311
131 + 133 John St. 334.888 13 5 6
334.888
10. Tax Map Designation: Section 13 Block 5 Lot 5
11. This application is for 42' x 60' x 166" H. WALTERS
Storage Building for Trucks & Equipment

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? NO

If so, list Case No. and Name _____

13. List all contiguous holdings in the same ownership
Section 334800 13 Block 5 Lot(s) 7
334800 13 5 8

Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

OWNER'S ENDORSEMENT
(Completion required ONLY if applicable)

COUNTY OF ORANGE

SS.:

STATE OF NEW YORK

John + Georgette Evans being duly sworn, deposes and says that he resides at 30 Hilltop DR. in the County of ORANGE and State of N.Y. and that he is (the owner in fee) of _____ (Official Title) of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized _____ to make the foregoing application for Special Use Approval as described herein.

I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.

Sworn before me this

Georgette H. Evans
John N. Evans
(Owner's Signature)

4th day of Apr 1990

John N. Evans
(Applicant's Signature)

Kathleen J. Cioffi
Notary Public

owners
(Title)

KATHLEEN J. CIOFFI
Notary Public, State of New York
Qualified in Orange County
No. 47 2025
Term Expires May 31, 1991

PROJECT I.D. NUMBER

617.21

Appendix C

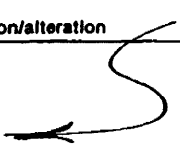
State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

SEQR

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>JOHN EVANS</u>	2. PROJECT NAME <u>"PLOT PLAN for MAE H. EVANS"</u>
3. PROJECT LOCATION: Municipality <u>NEW WINDSOR</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>JOHN STREET</u>	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration <u>BUILD New GARAGE/STORAGE BUILDINGS</u>	
6. DESCRIBE PROJECT BRIEFLY: 	
7. AMOUNT OF LAND AFFECTED: Initially <u>0.2</u> acres Ultimately <u>0.2</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <u>TOWN of New Windsor, Building Permit</u>	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>John M. Evans</u>	Date: <u>4/16/90</u>
Signature: <u>John M. Evans</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67 If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) <u>No</u> C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly: D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	<u>Frank M. Harris P.L.S.</u> Signature of Preparer (if different from responsible officer)
_____ Date <u>4/11/90</u>	

PROJECT I.D. NUMBER

Appendix C

State Environmental Quality Review

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7. AMOUNT OF LAND AFFECTED: Initially <u>0.2</u> acres Ultimately <u>0.2</u> acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: <u>John M. Evans</u>	Date: <u>4/16/90</u>
Signature: <u>John M. Evans</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?

If yes, coordinate the review process and use the FULL EAF.

☐ Yes ☒ No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.67

If No, a negative declaration may be superseded by another involved agency.

☐ Yes ☒ No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

☐ Yes ☒ No If Yes, explain briefly

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Frank M. Heltz

Signature of Preparer (if different from responsible officer)

4/11/90

Date

MAY 8 - 1990

PROXY STATEMENT

for submittal to the

TOWN OF NEW WINDSOR PLANNING BOARD

John N. Evans, deposes and says that he
resides at 30 Hill Top Drive - New Windsor
(Owner's Address)

in the County of ORANGE

and State of N.Y.

and that he is the owner in fee of 127- 133 John St.
New Windsor, N.Y.

which is the premises described in the foregoing application and
that he has authorized John N. EVANS

to make the foregoing application as described therein.

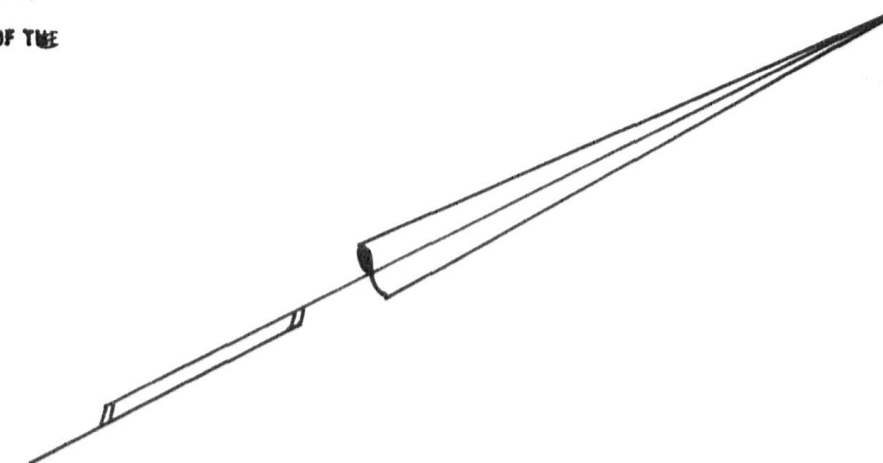
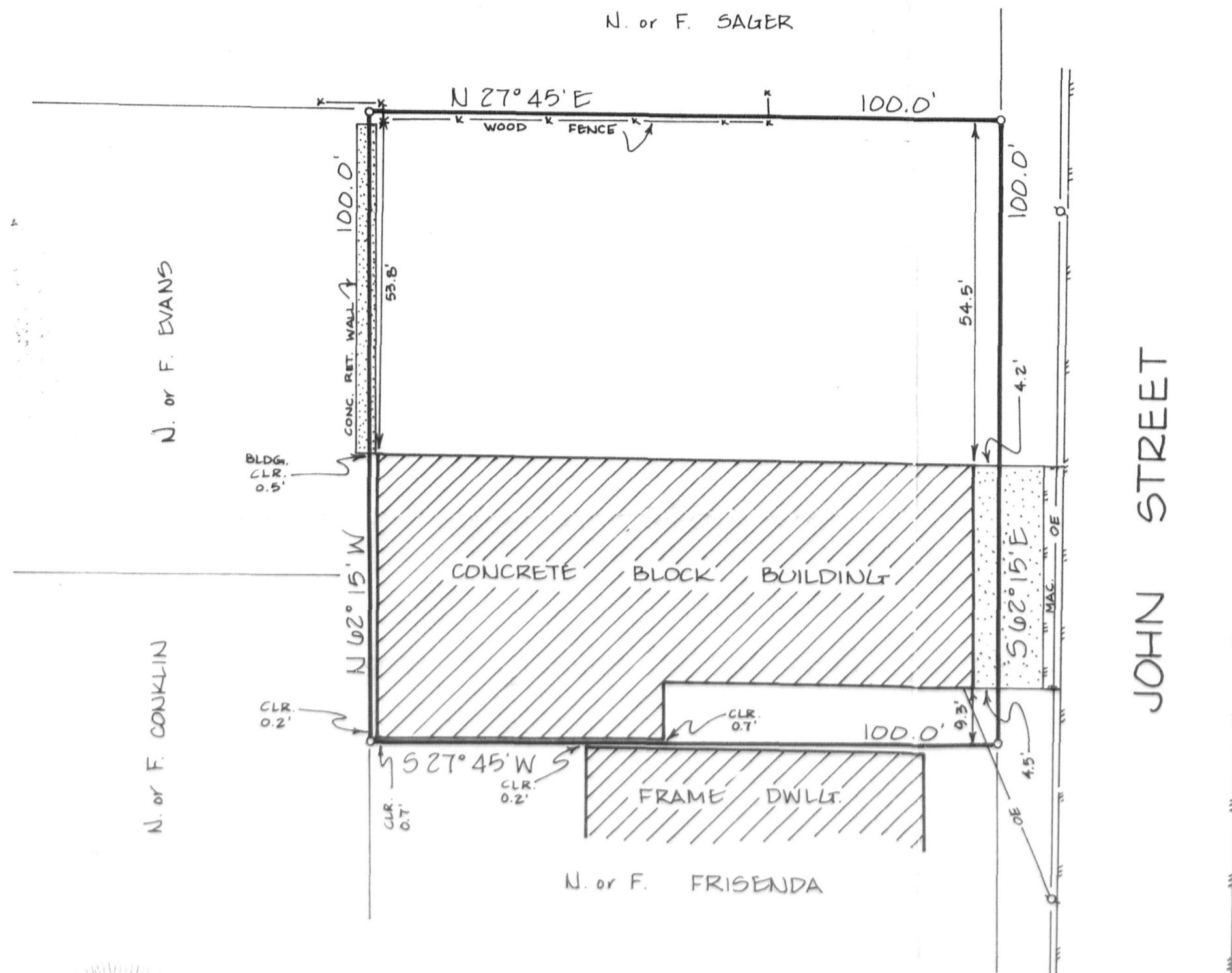
Date: _____

John N. Evans
(Owner's Signature)

(Witness' Signature)

REFERENCE: BEING LOTS # 36 THRU # 39, AS SHOWN
ON A MAP ENTITLED " MAP OF LOTS OWNED BY
MR. D.P. KELLY " FILED AT THE ORANGE COUNTY
CLERK'S OFFICE MAY 12, 1885 AS MAP # 650.

UNAUTHORIZED ALTERATION OR ADDITION TO A SURVEY MAP BEARING
LICENSED LAND SURVEYOR'S SEAL IS A VIOLATION OF SECTION 7209,
SUB-DIVISION 2, OF THE NEW YORK STATE EDUCATION LAW.
COPIES OF THIS SURVEY MAP NOT HAVING THE EMBOSSED SEAL OF THE
LAND SURVEYOR SHALL NOT BE VALID.
CERTIFICATIONS ARE NOT TRANSFERRABLE TO ADDITIONAL
INSTITUTIONS OR SUBSEQUENT OWNERS.
SUBJECT TO ANY EASEMENTS OR RIGHTS OF WAY OF RECORD



SURVEY
OF PROPERTY FOR
MAE H. EVANS
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK
SCALE: 1" = 20' SEPT. 7, 1989 AREA = 10,000 ±

CERTIFIED TO BE CORRECT AND ACCURATE:

Frank M. Hoens

FRANK M. HOENS NYS. PLS. LIC. # 49314

FRANK M. HOENS
PROFESSIONAL LAND SURVEYOR
GOSHEN, NEW YORK

